

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>FRANKIE COLE, et al.,</b>	)	<b>CASE NO. 4:06CV3314</b>
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>ORDER TO SHOW CAUSE</b>
	)	
<b>ROBERT HOUSTON, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

Whereas, 28 U.S.C. §1915(g) provides:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

And, whereas, a search of the records of this Court reveals that the Plaintiff, Frankie Cole, has brought the following actions that were dismissed:

1. Cole v Leech, et al, 4:93CV3399.
2. Cole v Richard, et al, 4:94CV3025.
3. Cole v Sievers, et al, 4:94CV3199.
4. Cole v Johnson, et al, 4:97CV3064.
5. Cole v Connelly, et al, 4:97CV3138.
6. Cole v Ogorzolka, et al, 8:89CV772.
7. Cole v Houston, et al, 8:92CV705.
8. Cole v Leonard, et al, 8:93CV35.
9. Cole v Houston, et al, 8:93CV131.
10. Cole v Kiem, et al, 8:93CV211.

11. Cole v Squires, et al, 8:96CV153.

Therefore, on or before **August 20, 2007**, the Plaintiff shall file with this Court either an affidavit or an affirmation made under penalty of perjury stating any reasons why the above-captioned action should not be dismissed in accordance with 28 U.S.C. §1915(g), or payment of the full filing fee. In the absence of such a filing showing good cause why this action should not be dismissed or payment of the full filing fee, an order of dismissal will be entered.

Dated this 24<sup>th</sup> day of July, 2007.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge